



DOCKET NO. ETH-1572

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven C. Arnold, et al.

Serial No.: 09/896,004

Art Unit: 1713

Filed : June 29, 2001

Examiner:

For : COMPOSITIONS AND MEDICAL DEVICES UTILIZING BIOABSORBABLE POLYMERIC WAXES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on

01/27/05

(Date of deposit)

William K. Wissing

(Name of applicant, assignee, or Registered Representative)

(Signature)

01/27/05

(Date of signature)

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313

**PETITION FOR EXTENSION OF TIME AND AUTHORIZATION
TO CHARGE DEPOSIT ACCOUNT THEREFOR**

Dear Sir:

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated March 29, 2004 for three(3) month. An Amendment responding to the aforesaid Office Action is being filed concurrently herewith.

Please charge Deposit Account No. 10-0750/ETH1572/WKW in the name of Johnson & Johnson for the cost of filing this Petition. Please charge any deficiency or credit any overpayment to the above Deposit Account No. Three copies of this Petition are enclosed.

Respectfully submitted,

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REMARKS

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1. Claims 32, 34, 36-38, 42, 43, 48 and 57 remain in this application. Claims 33, 35, 39, 40, 41, 44-47, 49-56 and 58 have been canceled. Claims 59-61 have been added.
2. Claims 32-34, 38-40, 44 and 48 were rejected under 35 U.S.C. 102(b) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Bezwada et al. However, claims 35-37, 41-43, 45 and 47 were deemed to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The amendments to the claims, including the addition of new claims 59-61, incorporate the limitations required for allowability. Accordingly, the rejection of claims 32-34, 38-40, 44 and 48 under 35 U.S.C. 102(b) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Bezwada et al may now be withdrawn.
3. Claim 39 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Since claim 39 has been canceled, this rejection may now be withdrawn.
4. Since all formal requirements have been met, Applicant respectfully solicits a Notice of Allowance at the Examiner's earliest convenience.

Respectfully submitted,

/Matthew S. Goodwin/

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July 1, 2005